



Practitioner's Docket No. SS-734-17

*TJW*  
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Paul W. McBurney  
Application No.: 10 /650,383 Group No.: 2685  
Filed: 08/27/2003 Examiner: Haroon, Adeel  
For: ESTIMATING GPS REFERENCE FREQUENCY DRIFT FROM PDC-HANDSET VCO-BURSTS

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUBMISSION OF PROPOSED DRAWING AMENDMENT  
FOR APPROVAL BY EXAMINER**

Attached please find

(check applicable items)

- a sketch in permanent ink,  
 a copy of the original drawing(s) with red ink markings,

showing the proposed changes to the drawing(s) in this application, for which the approval of the Examiner is requested.

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**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))**

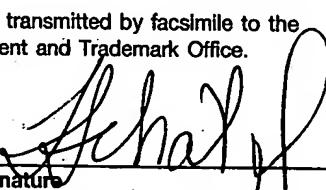
I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

**FACSIMILE**

transmitted by facsimile to the Patent and Trademark Office.

  
Signature

THOMAS E. SCHATZEL

(type or print name of person certifying)

Date: 02/22/2007

(Submission of Proposed Drawing Amendment for Approval by Examiner [9-16]—page 1 of 2)

Dated: 02/22/2007

Reg. No.: 22,611

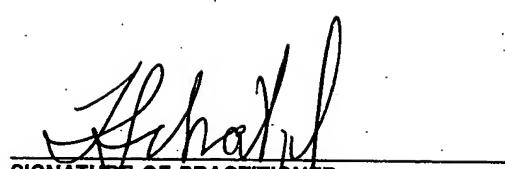
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**NOTE:** While drawings submitted under §§ 1.81, 1.83-1.85, 1.152, 1.165, 1.174, and 1.437 may not be filed by facsimile, proposed drawing corrections for approval may be submitted by facsimile transmission. Notice of Oct. 15, 1993, 58 Fed. Reg. 54,494-54,504, at 54,495.

**NOTE:** Filing by facsimile is not permitted for drawings "submitted under 37 CFR 1.81, 1.83 1.85, 1.152, 1.165, or 1.437 except when submitted with the issue fee." (Under 37 CFR 1.6(d)(4), drawings submitted under 37 CFR 1.81, 1.83 1.85, 1.152, 1.165, or 1.437 may not be filed by facsimile transmission in patent applications. However, the Office has waived the prohibition in 37 CFR 1.6(d)(4) against the submission of drawings by facsimile when drawings are facsimile transmitted with the issue fee. See Payment of the Issue Fee and Filing Related Correspondence by Facsimile, 1254 Off. Gaz. Pat. Office (January 15, 2002). Applicants are reminded that the facsimile process may reduce the quality of the drawings, and the Office will generally print the drawings as received. MPEP, § 502.01(l)(C), 8th Edition, Rev. 2.

**NOTE:** The Office has authorized the payment of any required publication fee by authorization to charge a deposit account or credit card, and drawings: 703-746-4000 facsimile number. The Office notes that although the submission of drawings by facsimile may reduce the quality of drawings, the Office will generally print the drawings as received. See "New Patents Central FAX Number and Updated Lists of Exceptions to the Centralized Delivery and Facsimile Transmission Policy for Patent-Related Correspondence", 1296 OG 76, July 12, 2005.



SIGNATURE OF PRACTITIONER

THOMAS E. SCHATZEL  
(type or print name of practitioner)

LAW OFFICES OF  
**THOMAS E. SCHATZEL**  
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OCT-27-2007  
FEB 27 2007  
PATENT & TRADEMARK OFFICE  
**Practitioner's Docket No. SS-734-17**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: PAUL W. McBURNEY

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**AMENDMENT TRANSMITTAL**

**WARNING:** Failure to file a complete response in compliance with § 1.135(c) leads to a reduction in patent term adjustment - See § 1.704(c)(7).

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is

- a small entity. A statement:
  - is attached.
  - was already filed.
  - other than a small entity.

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

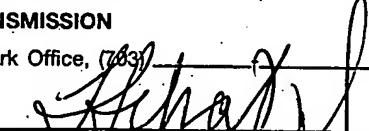
37 C.F.R. § 1.10 \*

- with sufficient postage as first class mail.  as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

- facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

  
Signature

THOMAS E. SCHATZEL

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

## EXTENSION OF TERM

**NOTE:** "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

**NOTE:** See 37 C.F.R. § 1.645 for extensions of time in interference proceedings, and 37 C.F.R. § 1.550(c) for extensions of time in reexamination proceedings.

**NOTE:** 37 C.F.R. § 1.704(b) "...an applicant shall be deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods of time in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, measuring such three-month period from the date the notice or action was mailed or given to the applicant, in which case the period of adjustment set forth in § 1.703 shall be reduced by the number of days, if any, beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. The period, or shortened statutory period, for reply that is set in the Office action or notice has no effect on the three-month period set forth in this paragraph."

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(complete (a) or (b), as applicable)

- (a)  Applicant petitions for an extension of time under 37 C.F.R. § 1.136  
(fees: 37 C.F.R. § 1.17(a)(1)-(4) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Fee: \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

OR

- (b)  Applicant believes that no extension of term is required. However, this is a conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE OR RATE	ADDIT. FEE
TOTAL * 9	MINUS ** 20	= 0	x\$ 25= \$	x\$ 50= \$ 0	
INDEP. * 4	MINUS *** 4	= 0	x\$100= \$	x\$200= \$ 0	
□ FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			0	+\$180= \$	+\$360= \$ 0
			TOTAL ADDIT. FEE \$	OR	TOTAL ADDIT. FEE \$ 0

- \* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20."
- \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3."
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** "After final rejection or action (§ 1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made." 37 C.F.R. § 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

(c)  No additional fee for claims is required.

OR

(d)  Total additional fee for claims required \$ \_\_\_\_\_

## FEE PAYMENT

- Attached is a  check  money order in the amount of \$ \_\_\_\_\_
- Authorization is hereby made to charge the amount of \$ \_\_\_\_\_
  - to Deposit Account No. \_\_\_\_\_
  - to Credit card as shown on the attached credit card information authorization form PTO-2038.

**WARNING:** Credit card information should not be included on this form as it may become public.

- Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

## FEE DEFICIENCY

**NOTE:** If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).

6.  If any additional extension and/or fee is required, charge Account No. 19-0310

### AND/OR

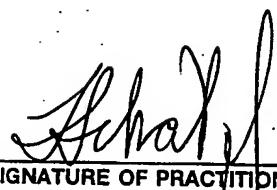
- If any additional fee for claims is required, charge Account No. 19-0310

Dated: 02/22/2007

Reg. No.: 22,611

Tel. No.: (408 ) 358-7733  
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Customer No.:



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SIGNATURE OF PRACTITIONER

THOMAS E. SCHATZEL

(type or print name of practitioner)

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(Amendment Transmittal [9-19]—page 4 of 4)